

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Alain TROESCH et al.

Application No.: 10/560,433



Filed: December 14, 2005

Docket No.: 126239

For: METHOD FOR DETECTING AND/OR IDENTIFYING BACTERIA OF THE GENUS STAPHYLOCOCCUS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-CPA application, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.
- ☒ 2. Relevance of one or more non-English language reference is discussed in the present specification. See References 19-30.
- ☒ 3. One or more reference cited herein was cited in the International Search Report. An English language version of the International Search Report is attached for the Examiner's information. See References 13, 31-33, 39, 49-51.
- ☒ 4. In accordance with 37 CFR §1.98(a)(2)(ii), copies of any U.S. patents and patent application publications are not attached.
- ☒ 5. An English language Abstract of one or more non-English language reference is attached hereto. See References 23, 24, 26-28, 31.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.A./

- ☒ 6. A computer-generated English language translation of one or more Japanese Patent Publication cited herein has been obtained from the website of the Japanese Patent Office ([http://www.jpo.go.jp]), and is attached, but has not been reviewed for accuracy. See Reference 31.
- ☒ 7. References 14, 15, 16, 17, 18 correspond to references 23, 26, 27, 28, 29 respectively.

Respectfully submitted,

  
William P. Berridge  
Registration No. 30,024

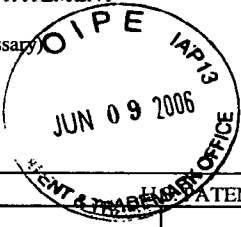
Scott M. Schulte  
Registration No. 44,325

WPB:SMS/cdk

Date: June 9, 2006

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--

Form PTO-1449 (REV. 1/06)		US Dept. of Commerce PATENT & TRADEMARK OFFICE		ATTY DOCKET NO. 126239		APPLICATION NO. 10/560,433	
INFORMATION DISCLOSURE STATEMENT							
(Use several sheets if necessary)							
				APPLICANTS Alain TROESCH et al.			
				FILING DATE December 14, 2005			
PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Name			
	1	4,683,195	07/28/1987	Mullis et al.			
	2	4,683,202	07/28/1987	Mullis			
	3	4,800,159	01/24/1989	Mullis et al.			
	4	5,399,491	03/21/1995	Kacian et al.			
	5	5,234,809	08/10/1993	Boom et al.			
	6	4,672,040	06/09/1987	Josephson			
	7	5,750,338	05/12/1998	Collins et al.			
	8	4,981,783	01/01/1991	Augenlicht			
	9	5,700,637	12/23/1997	Southern			
	10	5,445,934	08/29/1995	Fodor et al.			
	11	5,744,305	04/28/1998	Fodor et al.			
	12	5,807,522	09/15/1998	Brown et al.			
	13	5,714,321	02/3/1998	Hogan			
	14	6,632,662 B1	10/14/2003	Broyer et al.			
	15	6,133,047	10/17/2000	Elaissari et al.			
	16	6,521,341 B1	02/18/2003	Elaissari et al.			
	17	5,695,926	12/09/1997	Cros et al.			
	18	2002/0187500 A1	12/12/2002	Laayoun			
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Country	With English Abstract	With English Translation	
OTHER DOCUMENTS							
Examiner Initials	Cite No.	(Including Author, Title, Date, Pertinent Pages, etc.)					
EXAMINER					DATE CONSIDERED		
/Nina Archie/					11/24/2008		
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Date: June 9, 2006

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.A./

Form PTO-1449 (REV. 1/06)		US Dept. of Commerce PATENT & TRADEMARK OFFICE		ATTY DOCKET NO. 126239		APPLICATION NO. 10/560,433	
INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)				APPLICANTS Alain TROESCH et al.			
				FILING DATE December 14, 2005			
U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Name			
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Country	With English Abstract	With English Translation	
	19	EP 0 201 184 A2	12/17/1986	EUROPE			
	20	WO 90/01069 A1	02/08/1990	WIPO			
	21	WO 90/06995 A1	06/28/1990	WIPO			
	22	WO 91/02818 A1	03/07/1991	WIPO			
	23	WO 00/05338 A1	02/03/2000	WIPO	X		
	24	WO 99/53304 A1	10/21/1999	WIPO	X		
	25	WO 99/15321 A1	04/01/1999	WIPO			
	26	WO 97/45202 A1	12/04/1997	WIPO	X		
	27	WO 99/35500 A1	07/15/1999	WIPO	X		
	28	WO 91/19812 A1	12/26/1991	WIPO	X		
	29	FR 2 780 059 A1	12/24/1999	FRANCE			
	30	WO 94/12670 A2	06/09/1994	WIPO			
	31	JP A 06-090798	04/05/1994	JAPAN	X	X	
	32	WO 02/08265 A2	01/31/2002	WIPO			
	33	WO 00/66788	11/09/2000	WIPO			
OTHER DOCUMENTS							
Examiner Initials	Cite No.	(Including Author, Title, Date, Pertinent Pages, etc.)					
EXAMINER				DATE CONSIDERED			
/Nina Archie/				11/24/2008			
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Date: June 9, 2006

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.A./

Form PTO-1449 (REV. 1/06)		US Dept. of Commerce PATENT & TRADEMARK OFFICE		ATTY DOCKET NO. 126239		APPLICATION NO. 10/560,433	
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				APPLICANT(S) Alain TROESCH et al.			
				FILING DATE December 14, 2005			
U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Name			
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Country	With English Abstract	With English Translation	
OTHER DOCUMENTS							
Examiner Initials	Cite No.	(Including Author, Title, Date, Pertinent Pages, etc.)					
	34	A.C. Whelen and David H. Persing, (1996) "THE ROLE OF NUCLEIC ACID AMPLIFICATION AND DETECTION IN THE CLINICAL MICROBIOLOGY LABORATORY"; 50, pp 349 -373.					
	35	J.M. Hunt and D. H. Persing, (1993) "BACTERIAL DETECTION"; 2 <sup>ND</sup> Edition, Section 13, pp 525 -555.					
	36	P.E. Nielsen et al. (1991) "SEQUENCE-SELECTIVE RECOGNITION OF DNA BY STRAND DISPLACEMENT WITH A THYMINE-SUBSTITUTED POLYAMIDE"; 254, pp 1497-1500.					
	37	R. Boom et al. (1990) "RAPID AND SIMPLE METHOD FOR PURIFICATION OF NUCLEIC ACIDS"; No. 28(3). pp 495-503.					
	38	P.R. Levison et al. (1998) "NEW APPROACHES TO THE ISOLATION OF DNA BY ION-EXCHANGE CHROMATOGRAPHY"; Journal of Chromatography A. 827 pp 337-344.					
	39	W. Ludwig et al. (1992) "COMPLETE 23S RIBOSOMAL RNA SEQUENCES OF GRAM-POSITIVE BACTERIA WITH A LOW DNA G+C CONTENT"; Syst. Appl. Microbiol. 15, pp 487-501.					
	40	Larry Kricka (1999) "NUCLEIC ACID DETECTION TECHNOLOGIES - LABELS, STRATEGIES, AND FORMATS"; Clinical Chemistry 45(4), pp 453-458.					
	41	G.H. Keller et al. (1993) "NON-RADIOACTIVE LABELING PROCEDURES" DNA Probes. 2 <sup>nd</sup> Edition, Sections 5 and 6, pp 173 - 249.					
	42	Mark Chee et al. (1996) "ACCESSING GENETIC INFORMATION WITH HIGH-DENSITY DNA ARRAYS"; Science Magazine, Vol. 274, pp 610-614.					
	43	A.C. Pease et al. (1994) "LIGHT-GENERATED OLIGONUCLEOTIDE ARRAYS FOR RAPID DNA SEQUENCE ANALYSIS"; Proc. Natl. Acad. Sci. Vol. 91, pp 5022-5026.					
	44	G. Ramsay (1998) "DNA CHIPS: STATE-OF-THE-ART" Nature Biotechnology, Vol. 16, pp 40-44.					
EXAMINER /Nina Archie/				DATE CONSIDERED 1/24/2008			
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Date: June 9, 2006

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.A./

Form PTO-1449 (REV. 1/06)		US Dept. of Commerce PATENT & TRADEMARK OFFICE		ATTY DOCKET NO. 126239		APPLICATION NO. 10/560,433	
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				APPLICANT(S) Alain TROESCH et al.			
				FILING DATE December 14, 2005			
U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Name			
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Date	Country	With English Abstract	With English Translation	
OTHER DOCUMENTS							
Examiner Initials	Cite No.	(Including Author, Title, Date, Pertinent Pages, etc.)					
	45	Frederic Ginot (1997) "OLIGONUCLEOTIDE MICRO-ARRAYS FOR IDENTIFICATION OF UNKNOWN MUTATIONS: HOW FAR FROM REALITY?" Human Mutation, No. 10, pp 1-10.					
	46	Jing Cheng et al. (1996) "MICROCHIP-BASED DEVICES FOR MOLECULAR DIAGNOSIS OF GENETIC DISEASES" Molecular Diagnosis Vol. 1 No. 3 1996, pp 183-200.					
	47	Tierry Livache et al. (1994) "PREPARATION OF A DNA MATRIX VIA AN ELECTROCHEMICALLY DIRECTED COPOLYMERIZATION OF PYRROLE AND OLIGONUCLEOTIDES BEARING A PYRROLE GROUP"; Nucleic Acids Research, Vol. 22, No. 15 pp 2915 - 2921.					
	48	Jing Cheng et al. (1998) "PREPARATION AND HYBRIDIZATION ANALYSIS OF DNA/RNA FROM E. COLI ON MICROFABRICATED BIOELECTRONIC CHIPS"; Nature Biotechnology, Vol. 16, pp 541-546.					
	49	F.J. Schmitz et al. (1997) "SPECIFIC INFORMATION CONCERNING TAXONOMY, PATHOGENICITY AND METHICILLIN RESISTANCE OF STAPHYLOCOCCI OBTAINED BY A MULTIPLEX PCR"; J. Med. Microbiol, Vol. 46, pp 773-778.					
	50	K.J. Edwards et al. (2001) "RAPID AND ACCURATE IDENTIFICATION OF COAGULASE-NEGATIVE STAPHYLOCOCCI BY REAL-TIME PCR"; Journal of Clinical Microbiology, Vol. 39, No. 9, pp 3047-3051.					
	51	William Mason et al. (2001) "MULTIPLEX PCR PROTOCOL FOR THE DIAGNOSIS OF STAPHYLOCOCCAL INFECTION"; Journal of Clinical Microbiology, Vol. 39, No. 9, pp 3332-3338.					
EXAMINER /Nina Archie/				DATE CONSIDERED 11/24/2008			
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Date: June 9, 2006

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.A./